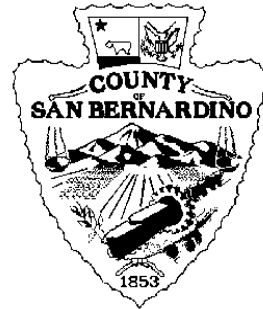


# NEWS

## *From Supervisor Bill Postmus*

First District, San Bernardino County



FOR IMMEDIATE RELEASE

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### **POSTMUS PLEASED BY REPEAL OF STATE FIRE TAX**

*Legislature, Governor Overwhelmingly Agree to Nix Controversial 'Fee'*

VICTORVILLE – San Bernardino County Supervisor Bill Postmus said he is very pleased that the Legislature overwhelmingly passed Senate Bill 1112 today as one of the many state budget “trailer” bills that comprise a final budget agreement between Governor Arnold Schwarzenegger and legislative leaders. The bill repeals a controversial ‘fee’ to fund the California Department of Forestry and Fire Protection that would have cost San Bernardino County taxpayers \$8.75 million in additional property taxes later this year.

“This means the County of San Bernardino doesn’t have to go to Superior Court in Sacramento tomorrow to argue our position that this fee was actually an illegal tax. This is a better way to go about getting rid of the fee. The Legislature made a mistake by passing this tax in the first place, and now I’m happy to see them, along with our new Governor, rectifying it.” The vote was 31-7 in the Senate, 78-2 in the Assembly. The Governor has already agreed to put his signature on bill, possibly as early as Saturday.

The \$35-per-parcel fee would have been collected from taxpayers owning approximately 125,000 parcels of property in so-called State Responsibility Areas requiring wildland fire protection, including Phelan, Pinon Hills, Wrightwood, Oak Hills, Summit Valley, Lucerne Valley, the Morongo Basin and portions of Hesperia, Apple Valley and Victorville.

Immediately after the last-minute approval of the tax by a simple-majority vote of the Legislature at the end of last year’s legislative session, the Board of Supervisors went on record as opposing the implementation of the tax and in support of a repeal. Former Governor Gray Davis signed the bill authorizing the tax the day after he was recalled.

On June 8, 2004, the Board of Supervisors unanimously approved a request by Supervisor Postmus to support a legal challenge of the fee by the California Farm

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## FIRE TAX REPEALED

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Bureau Federation in Sacramento Superior Court. A hearing in the case is scheduled for tomorrow. The lawsuit is likely to be delayed pending the Governor's approval of the repeal.

Postmus said his opposition to the fee was based on two legal positions. First, no specific service or benefits were to be tied to the charging or collecting of the fee, therefore it is a tax. These revenues would have been used to finance existing services. Second, since new taxes require approval of at least two-thirds of each house of the Legislature and the tax did not reach that threshold, it was not legally adopted.

On July 20, representatives of the San Bernardino and Riverside County Boards of Supervisors testified in opposition to the implementation of the fee at a California Department of Forestry hearing in Sacramento.

"The state fire tax was misguided, inequitable, and discriminatory," said Postmus. "I am grateful a majority of the Assembly and Senate agreed with us and I applaud the Governor's leadership in making sure that taxpayers were protected,"

According to an analysis prepared by the Senate Budget and Fiscal Review Committee, the Budget Bill provides \$102.5 million to the General Fund to backfill a shortfall in the Department of Forestry and Fire Protection's fire suppression budget due to the repeal of the fire tax.

In other budget news, local governments will take \$2.6 billion in expected cuts in state funding over the next two years as part of the "Local Government Agreement." The impact to San Bernardino County this year will be \$16.3 million.